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TOWNSEND and TOWNSEND and CREW LLP

By: Yvonne Mock

Yvonne Mock

PATENT  
Attorney Docket No.: 015270-006430US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

John P. Anderson

Application No.: 09/471,669

Filed: December 24, 1999

For: BETA-SECRETASE ENZYME  
COMPOSITIONS AND METHODS

Examiner: Malgorzata A. Walicka

Art Unit: 1652

TERMINAL DISCLAIMER

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The undersigned is an authorized representative of Elan Pharmaceuticals, Inc. (hereinafter "ASSIGNEE") and attorney of record in the above-identified patent application. ASSIGNEE is the assignee of total interest of:

1. Application No. 09/471,669 (the "669 APPLICATION")
2. Application No. 09/724,569 (the "569 APPLICATION")

ASSIGNEE is the exclusive owner of the '669 APPLICATION and the '569

APPLICATION. ASSIGNEE disclaims the terminal part of any patent granted on the '669 APPLICATION which would extend beyond the last day of the full statutory term of the '569 APPLICATION.

Further, ASSIGNEE agrees that any patent granted on the '669 APPLICATION shall be enforceable only for and during the period that the legal title to the patent granted on the '669 APPLICATION shall be the same as the legal title to the '569 APPLICATION and agrees that this Terminal Disclaimer shall run with any patent granted on the '669 APPLICATION and shall be binding on the grantee or its successors or assigns.

In making the above disclaimer, ASSIGNEE does not disclaim the terminal part of any patent granted on the '669 APPLICATION that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the '569 APPLICATION, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

This disclaimer is directed to patents issuing from the indicated '669 APPLICATION only and is not intended to act as a disclaimer of any part of the statutory term of any patent issuing from a divisional or continuation application that claims priority to either the '669 APPLICATION or to use the term of such a patent issuing from a divisional or continuation application in calculating the term of the present '669 APPLICATION.

The assignment documents evidencing title referred to above have been reviewed by the undersigned, and it is certified that title is in the ASSIGNEE.

DECLARATION

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Respectfully submitted,



Joe Liebeschuetz  
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